

REMARKS/ARGUMENTS

In response to the Office Action mailed October 25, 2006, Applicant amends his application and requests reconsideration. In this Amendment, claims 10 and 11 are cancelled and claims 12-23 are added so that claims 1-9 and 12-23 are now pending.

Claim 11 was rejected as indefinite. As best understood from the commentary appearing at page 2 of the Office Action, the Examiner asserted there was an inconsistency between the disclosure of the patent application with respect to the paragraph beginning at page 22 in line 6 of the patent application and claim 10. Apparently the Examiner is of the view that the disclosure states that chips are used in playing a game at the game table only if an ID card including a deposit checking unit is not used, and vice versa. There is no such description in the patent application. Moreover, Figure 2A of the patent application shows player stations at a game table. Each station includes a reader 64 for reading an ID card 20 that is clearly optional. Each location also includes chips 28, demonstrating that chips or an ID card can be used at each station. While the use of one representation of value, chips or the ID card, may be exclusive at one betting station, there is no reason why different participants at respective stations cannot choose between chips and ID cards as the source of betting value. The dealer D is shown in Figure 2A as a participant in the game and, notably, the dealer does not have either an ID card 20 or a readout 64 and, therefore, must use chips 28 if participating in the card game. The cited parts of the disclosure all show that use of a mixture of ID cards and chips in playing a game is contemplated in the disclosure.

Based upon his interpretation of the disclosure, the Examiner stated that he essentially rewrote claim 10 and treated it as a second independent claim. The Examiner is without authority to amend claims unless authorized by an applicant. When such a step is taken without an applicant's permission, the examination

procedure is improper. The Examiner is requested to examine the claims that are presented for examination even if he concludes that the claims are inartfully drafted.

In any event, because, in this Amendment, claims 1, 10, and 11 are combined, with important clarifications, as amended claim 1, the issue allegedly founded on 35 USC 112, second paragraph, is moot and does not require further discussion.

As examined, claim 10 may not have clearly differentiated the ID cards that are distributed to participants from the reader which reads information from those ID cards. The precise description in claim 1 was somewhat difficult to reconcile with claim 10. In drafting amended claim 1, each of its elements is separately and clearly referred to. Further, claim language pursuant to 35 USC 112, sixth paragraph is removed from the claims. The clarifications made are all supported by the application as filed. See page 9, line 21 to page 10, line 8 and page 22, lines 9-14.

Claim 11, as examined, referred to a deposit checking unit for checking an amount of a deposit. In examining this claim, an improper interpretation was made of the word "deposit". The specification of the patent application makes clear that the term refers to a value, like a checking account balance, that is on "deposit" with a bank. However, the Office Action makes clear that reliance was placed upon the use of the same word with a different meaning in the secondary reference. The meaning there connoted physical insertion of bank notes through a slot or other entrance opening. In that sense, deposit is a physical act, rather than reference to a value, like the amount available in a checking account. To avoid continued incorrect interpretation of the meaning of the term, reference is made in claim 1 to a betting value. This language is entirely consistent with the disclosure of the patent application concerning the ID card and the deposit function of the card described at pages 22 and 25 of the patent application.

Finally, other clarifying amendments are made in the claims, for example, describing in more detail the meaning of the term "track". The patent application makes clear that this term refers to "tracking" various information at the beginning, during the progress of, and at the ending of a game relating to at least the cards and

chips employed in the game. Other changes in the claims are directed solely to form in order to improve their clarity.

Claims 1-10 were rejected as anticipated by Soltys et al. (U.S. Patent 6,460,848, hereinafter Soltys) and claim 11 was rejected as unpatentable over Soltys in view of Raven et al. (U.S. Patent 5,429,361, hereinafter Raven). These rejections are respectfully traversed as to claims now presented.

In view of the combination of examined claims 1, 10, and 11, the only rejection still applicable is the assertion of obviousness over Soltys in view of Raven. However, these publications, even in combination, fail to disclose all of the elements of the game management system defined by amended claim 1 and, therefore, cannot establish *prima facie* obviousness of any pending claim.

In the Office Action, reliance was placed upon the passage in column 22, lines 35-49 of Soltys as describing the issuance of a non-illustrated “comp” card to players. The comp card contains identification information with respect to a game player. Players who accept such cards receive complimentary benefits as an incentive to have such a card prepared with “identifying information, such as a name, address, and/or a unique serial number encoded in a magnetic stripe on the card.” Soltys acknowledges the reluctance of players to accept such a card. Alternative ways of identifying players, such as video cameras and facial recognition technology using captured images, and tracking through the use of specially encoded betting chips, are mentioned by Soltys.

The Office Action acknowledged that Soltys does not describe using the comp card in any way with respect to the placing of bets or maintaining an active record of amounts of money available for betting. In fact, there is no specific description in Soltys, even with respect to the reading of the magnetically encoded stripe of the comp card of any mechanism at a table or elsewhere for, in any way, reading the information stored on the Soltys comp card.

Raven was relied upon as allegedly disclosing an ID card with “a deposit checking unit for checking an amount of a deposit of the participant” with reference to

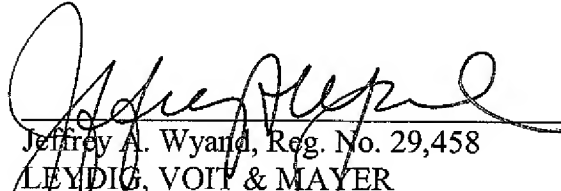
the disclosure at columns 10 and 11 of Raven. Raven fundamentally describes an add-on attachment for a gaming machine, such as a slot machine, that accepts a card, in combination with a PIN number, to enable play on the machine by a person identified on the card and who inputs the correct PIN number.

Raven describes two types of cards, a smart card and a passive card. The smart card functions as cash itself and therefore is distinct from the ID card according to the invention. Even with the passive card described by Raven, there is no description of any reader located within a gaming table that interacts with the card for determining available betting value or placing bets and that is located within the game table. By contrast with Raven, the reader embodiment 64 of Figure 2A of the patent application is built into the game table at each participant station. Therefore, this feature of amended claim 1 is absent from both Soltys and Raven so that those two publications cannot, even in combination, suggest the invention defined by any of claims 1-9.

New claims 12-23 are supported by the application as filed. Claims 12 and 13, considered together, are similar to amended claim 1, but omit the deposit checking unit feature of claim 1 and add a description of transmitting and receiving antennas on the game table and a chip weighing device. These descriptions are supported in the patent application from page 14, line 12 through page 15, line 18. Added claims 14-21 have counterparts in claims 2-9. Claims 22 and 23 pertain to the personal ID card in descriptions similar to parts of claim 1. The new claims are clearly patentable over Soltys and Raven since the antenna and weighing features of claim 12 are not found in those publications.

Reconsideration and allowance of all pending claims are earnestly solicited.

Respectfully submitted,


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